

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

|                                     |   |                                  |
|-------------------------------------|---|----------------------------------|
| <b>MICHELLE R. KAPLAN AND</b>       | ) |                                  |
| <b>MARK D. KAPLAN,</b>              | ) |                                  |
|                                     | ) |                                  |
| <b>PLAINTIFFS</b>                   | ) |                                  |
|                                     | ) | <b>CIVIL No. 1:14-cv-276-DBH</b> |
| <b>v.</b>                           | ) |                                  |
|                                     | ) |                                  |
| <b>BLUE HILL MEMORIAL HOSPITAL,</b> | ) |                                  |
|                                     | ) |                                  |
| <b>DEFENDANT</b>                    | ) |                                  |

**ORDER AFFIRMING RECOMMENDED DECISION  
OF THE MAGISTRATE JUDGE**

On November 28, 2014, the United States Magistrate Judge filed with the court, with copies to counsel, his Recommended Decision on the defendant's motion to dismiss. The time within which to file objections expired on December 15, 2014, and no objections have been filed. The Magistrate Judge notified the parties that failure to object would waive their right to *de novo* review and appeal.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**. The defendant's motion to dismiss is **DENIED**.

**SO ORDERED.**

**DATED THIS 17<sup>TH</sup> DAY OF DECEMBER, 2014**

\_\_\_\_\_  
/s/D. BROCK HORNBY  
**D. BROCK HORNBY**  
**UNITED STATES DISTRICT JUDGE**